

Council Meeting - Agenda

CITY COUNCIL CALENDAR

Thursday, April 12, 2007

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OPENING OF SESSION BY: CITY COUNCIL PRESIDENT LEO R. PIMENTAL

PRAYER LED BY: REVEREND DAVID A. LIMA, EXECUTIVE MINISTER

INTERCHURCH COUNCIL

PLEDGE OF ALLEGIANCE

HEARINGS

1. PETITION, NSTAR Electric Company, for location of two (2) 4" Conduits, four (4) 4" Conduits and one (1) Handhole in PARKER STREET, West of Cottage Street.
 - 1a. AN ORDER,
2. PETITION, NSTAR Electric Company, for location of one (1) 4" Conduit and one (1) Handhole in WILLIAM STREET, West of Bethel Street.
 - 2a. AN ORDER,
3. PETITION, NSTAR Electric Company, for location of one (1) Handhole in ARNOLD STREET, East of Rounds Street.
 - 3a. AN ORDER,
4. PETITION, NSTAR Electric Company, for location of three (3) 4" Conduits, two (2) 4" Conduits, one (1) 45" x 45" x 72" Vault, one (1) 45" x 45" x 48" Vault in TREMONT STREET, North of Arnold Street.
 - 4a. AN ORDER,
5. PETITION, NSTAR Electric Company, for location of four (4) 4" Conduits and one (1) 45" x 45" x 72" Vault in CHANCERY STREET, North of Maple Street.
 - 5a. AN ORDER,
 - 5b. COMMUNICATION, Mark and Heather Bernardo, 81 Maple Street, New Bedford, MA, Plot 45, Lot 442, abutters to work area in Chancery Street, because they are unable to attend Hearing at City Council Meeting of April 12, 2007, REQUESTING RECORDING OF THEIR OPPOSITION, in writing, to work proposed by NSTAR, due to area being susceptible to geological disturbance, and concerns regarding the recently completed major repairs to their home due to the collapse of part of the foundation; also stating, if work in that area is the only practical solution for NSTAR, that they are requesting that NSTAR agree, in writing, to be accountable for any adverse effects to the property and building, and to restore the grounds and landscaping to their original state. (Copy all Councillors 04/10/07.)

MAYORS PAPERS

- M1. COMMUNICATION, Mayor Lang, to City Council, submitting copy of the DRAFT Fiscal Year 2007 Office of Housing and Community Development Action Plan, for the period of July 01, 2007 through June 30, 2008, provided by Patrick J. Sullivan, Housing and Community Development Director. (Note: 30-day response period began on March 19, 2007, and will end on April 18, 2007, and FINAL FY2007 Action Plan will be presented on or about April 26, 2007, to be approved with authorization to submit to HUD.)
- M2. COMMUNICATION, Mayor Lang, to City Council, submitting for information, the name of an Officer who was promoted on March 18, 2007, as: JAMES JOSE, PROMOTED TO SERGEANT.
- M3. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of MR. JOSE FURTADO, 260 Tinkham Street, New Bedford, MA 02745, as a SPECIAL POLICE OFFICER.
- M3a. APPLICATION,
- M4. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of MR. MARK A. FERMINO, 147 Hillman Street, New Bedford, MA 02740, as a SPECIAL POLICE OFFICER.
- M4a. APPLICATION,
- M5. COMMUNICATION, Mayor Lang, submitting the REAPPOINTMENT of PATRICIA L. ANDRADE, M. D., 585 Elm Street, South Dartmouth, MA 02748, as a Member of the BOARD OF HEALTH, for a THREE-YEAR TERM, WHICH WILL EXPIRE FEBRUARY 2010, and whose term expired February 2007. (Note: Permanent Residency Waiver on File.)
- M6. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of R. RENEE FERNANDES-ABBOTT, 115 High Street, Wareham, MA 02571, as TREASURER, effective March 26, 2007, at a Salary of \$63,623.00, Grade M13, Step 5; also requesting a WAIVER OF RESIDENCY for Ms. Fernandes-Abbott.
- M7. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of PETER SCHMIDT, 412 West Clinton Street, New Bedford, MA 02740 as CITY AUDITOR, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.
- M8. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of JILL MACLEAN, 295 Palmer Street, New Bedford, MA 02740, as ASSISTANT CITY PLANNER, for a TERM WHICH WILL EXPIRE JANUARY 05, 2009.
- M9. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of FRANKLIN A. ECCLESTON, 16 Atlantic Street, New Bedford, MA 02740, as a MEMBER OF THE HUMAN RELATIONS COMMISSION for a THREE-YEAR TERM TO EXPIRE APRIL 2010. Mr. Eccleston, replaces Rev. Dogba R. Bass, who resigned April 2005.
- M10. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of CAROL F. WALSH, 111 Oaklawn Street, New Bedford, MA 02744, as a MEMBER OF THE HUMAN RELATIONS COMMISSION, for a THREE-YEAR TERM TO EXPIRE APRIL 2010. Ms. Walsh replaces Dorothy James, whose term expired December 2006.
- M11. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of LATISHA SILVA, 184 County Street, New Bedford, MA 02740, as a MEMBER OF THE HUMAN RELATIONS COMMISSION, for a THREE-YEAR TERM TO EXPIRE APRIL 2010. Ms. Silva replaces Mark Fuller, whose term expired December 2006.
- M12. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of JANICE BAPTIST, 32 James Street, New Bedford, MA 0240, as a MEMBER OF THE HUMAN RELATIONS COMMISSION, for a THREE YEAR TERM TO EXPIRE APRIL 2010. Ms. Baptist replaces Rev. Joyce M. Whetstone, who resigned June 30, 1999.

M13. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DONAT J. "DAN" LEBLANC, 148 County Road, East Freetown, MA 02717, as DIRECTOR/AGENT OF VETERANS BENEFITS AND SERVICES for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008. (Note: Permanent Residency Waiver on File.)

M14. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of SCOTT ALFONSE, 57 Briarwood Drive, New Bedford, MA 02745, as DIRECTOR OF ENVIRONMENTAL STEWARDSHIP for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M15. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DUARTE M. ANDRADE, 33 Sidney Street, New Bedford, MA 02740, as ACTING CITY ENGINEER, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M16. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of LAWRENCE D. WORDEN, 60 Birchwood Drive, New Bedford, MA 02745, as COMMISSIONER OF PUBLIC FACILITIES for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M17. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of RONALD LABELLE, 358 Smith Neck Road, South Dartmouth, MA 02748, as COMMISSIONER OF PUBLIC INFRASTRUCTURE for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008. (Note: Permanent Residency Waiver on File.)

M18. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DEBRA L. TRAVERS, 12 Alford Street, New Bedford, MA 02745, as PURCHASING AGENT, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M19. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DAVID DETERRA, 90 Capital Street, New Bedford, MA 02744, as INSPECTOR OF WIRES, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M20. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DANNY ROMANOWICZ, 252 Hillman Street, New Bedford, MA 02740, as a FENCE VIEWER, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M21. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DUARTE M. ANDRADE, 33 Sidney Street, New Bedford, MA 02740, as a FENCE VIEWER, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M22. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of CYNTHIA WALLQUIST, 3598 Acushnet Avenue, New Bedford, MA 02745, as DIRECTOR OF COMMUNITY SERVICES, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M23. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of CYNTHIA WALLQUIST, 3598 Acushnet Avenue, New Bedford, MA 02745, as EXECUTIVE DIRECTOR TO THE COMMISSION FOR CITIZENS WITH DISABILITIES, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M24. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of RONALD A. DURGIN, 777 County Street, Unit 11, New Bedford, MA 02740, as COMMISSIONER OF INSPECTIONAL SERVICES, for a ONE-YEAR TERM WHICH WILL EXPIRE MARCH 31, 2008.

M25. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of ADONIS D. FERREIRA, 28 Liberia Lane, New Bedford, MA 02746, as A MEMBER OF THE HUMAN RELATIONS COMMISSION, for a THREE-YEAR TERM WHICH WILL EXPIRE APRIL 2010.

M26. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of CARL CRUZ, 202 Cedar Street, New Bedford, MA 02740 as A MEMBER OF THE LIBRARY BOARD OF TRUSTEES, for the balance of a THREE-YEAR TERM WHICH WILL EXPIRE APRIL 2009.

M27. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DR. JOHN J. FLETCHER, 47 Park Street, New Bedford, MA 02740 as A MEMBER OF THE LIBRARY BOARD OF TRUSTEES, for the balance of a THREE-YEAR TERM WHICH WILL EXPIRE APRIL 2009.

M28. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of HELEN ROGERS, 16 Pauline Street, New Bedford, MA 02740 as A MEMBER OF THE LIBRARY BOARD OF TRUSTEES, for the balance of a THREE-YEAR TERM WHICH WILL EXPIRE APRIL 2008.

M29. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of ELSIE R. FRAGA, 537 Kirby Street, New Bedford, MA 02740 as A MEMBER OF THE LIBRARY BOARD OF TRUSTEES, for the balance of a THREE-YEAR TERM WHICH WILL EXPIRE APRIL 2008.

M30. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of BARRY G. TRAHAN, 20 Maryland Street, New Bedford, MA 02745 as A MEMBER OF THE LIBRARY BOARD OF TRUSTEES, for a THREE-YEAR TERM WHICH WILL EXPIRE APRIL 2010.

M31. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of MARY ELLEN BERGERON, 82 Brownell Avenue, New Bedford, MA 02740 as A MEMBER OF THE LIBRARY BOARD OF TRUSTEES, for a THREE-YEAR TERM WHICH WILL EXPIRE APRIL 2010.

M32. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the transfer of \$36,612.00 from General Government Unclassified, Compensation Municipal Employees, to DEPARTMENT PUBLIC FACILITIES, SALARIES & WAGES. **ALSO REQUESTING THAT RULE 40 BE WAIVED TO EXPEDITE THIS TRANSFER.**

M32a. AN ORDER,

M33. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the transfer of \$139,000.00 from General Government Unclassified, Compensation Municipal Employees, to FIRE, SALARIES & WAGES. **ALSO REQUESTING THAT RULE 40 BE WAIVED TO EXPEDITE THIS TRANSFER.**

M33a. AN ORDER,

M34. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$30,000.00 from General Government Unclassified, Compensation Municipal Employees, to AIRPORT, SALARIES & WAGES.

M34a. AN ORDER,

M35. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$5,000.00 from Purchasing, Charges & Services, to VETERANS, CAPITAL OUTLAY.

M35a. AN ORDER,

M36. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$25,000.00 from Department of Public Facilities, Charges & Services to AIRPORT, CHARGES & SERVICES.

M36a. AN ORDER,

M37. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER, for the transfer to \$19,000.00 from Department of Public Facilities, Charges & Services, to AIRPORT, SUPPLIES & MATERIALS.

M37a. AN ORDER,

M38. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the transfer of \$14,326.00 from Department of Public Facilities, Charges & Services, to FIRE, SUPPLIES & MATERIALS.

M38a. AN ORDER,

M39. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$165,000.00 from Department of Public Infrastructure, Highway, Supplies & Materials, to DEPARTMENT OF PUBLIC INFRASTRUCTURE, HIGHWAY, CHARGES & SERVICES.

M39a. AN ORDER,

M40. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$15,000.00 from Department of Public Infrastructure, Wastewater, Charges & Services, to DEPARTMENT OF PUBLIC INFRASTRUCTURE, WASTEWATER, OTHER CHARGES.

M40a. AN ORDER,

NEW BUSINESS

6. REPORT, Committee on Ordinances, recommending that the City Council APPROVE the Zoning Change of land located at 83 CLEVELAND STREET, PLOT 14, LOT 224, Northwest corner of Cleveland Street and David Street, from Residence "C" TO INDUSTRIAL "A."

6a. AN ORDINANCE, (To be Passed to a Second Reading)

7. REPORT, Committee on Ordinances, recommending that the City Council APPROVE the Zoning Change of land on the EAST SIDE OF BELLEVILLE AVENUE, SOUTH OF COGGESHALL STREET, PLOT 86, LOT 21, from Industrial "B" TO MIXED-USE BUSINESS.

7a. AN ORDINANCE, (To be Passed to a Second Reading)

8. WRITTEN MOTION, Council President Pimental, submitting the REAPPOINTMENT of DENNIS W. FARIAS, 1092 Pelletier Street, New Bedford, MA 02745, as CLERK OF COMMITTEES, for a ONE (1) YEAR TERM TO EXPIRE APRIL 2008.

9. WRITTEN MOTION, Council President Pimental, on behalf of the South End Business Association, requesting the following STREET CLOSINGS: that WEST RODNEY FRENCH BOULEVARD, from Valentine Street to Lucas Street, be CLOSED on SATURDAY, JUNE 02, 2007, FROM 4:00 P.M. TO 10:00 P.M., for the purpose of their ANNUAL FAIR AND FIREWORKS DISPLAY.

10. WRITTEN MOTION, Council President Pimental, on behalf of Mayor Lang, requesting that the following street(s) be CLOSED: WILLIAM STREET, from North Sixth Street to Pleasant Street, on WEDNESDAY, MAY 02, 2007, FROM 6:00 A.M. TO 10:00 A.M., for the purpose of the United Way of Greater New Bedford 12th ANNUAL "YOUTH DAY OF CARING" Event in front of City Hall. (Note: Closing street to ensure parking and space for the buses transporting the approximately 200 student volunteers to the said Kickoff.)

11. WRITTEN MOTION, Council President Pimental, requesting, on behalf of Mayor Lang, for the French Consul's visit, and for the dedication of L'Union Nationale Combattants Plaque and Flag Raising Ceremony, that WILLIAM STREET, from North Sixth Street to Pleasant Street, BE CLOSED, on SUNDAY, APRIL 29, 2007, from 10:00 A.M. TO 8:00 P. M. (Note: Closing street to ensure parking for private cars and access to limousine service/shuttle buses throughout the day for various events associated with the Ceremonies and visit.)

12. WRITTEN MOTION, Councillor Alves, asking that the Committee on Gaming invite Professor Clyde W. Barrow, Director of the Center for Policy Analysis, University of Massachusetts-Dartmouth, to a meeting to share with the Committee and other interested parties, his research and analysis of the potential impact and long-range benefits and/or disadvantages to the City's pursuit of hosting a gaming facility in the area, as well as to discuss the basic difference(s) as they relate to the operation of such a facility by either a Tribe and/or private operation vs. a non-Tribe operated facility.

13. WRITTEN MOTION, Councillor Coelho, requesting that the Mayor's Office include in their Youth Summer Work Program, a beautifying and painting project, to include painting the Purchase Street railroad wall and the re-painting of the mural of the ocean scene across from the Hayden-McFadden School. (To be referred to the Mayor's Office.)

14. WRITTEN MOTION, Councillor Alves, asking, on behalf of the Portuguese-American War Veterans, that ALLEN STREET, from Brownell Avenue to John Street, BE CLOSED on MONDAY, MAY 28, 2007, FROM 8:30 A.M. TO 9:30 A.M. for THE ANNUAL MEMORIAL DAY SERVICES.

15. WRITTEN MOTION, Councillor Alves, asking, on behalf of the Greater New Bedford Veteran's Council, that MARKET STREET, from Pleasant to North Sixth Streets, and PLEASANT STREET, from Union to Elm Streets, be CLOSED on MONDAY, MAY 28, 2007, from 8:00 A. M. TO 2:00 P. M., for the ANNUAL MEMORIAL DAY CEREMONIES.

15a. COMMUNICATION/PARADE PERMIT, Councillor Alves, submitting Parade Permit APPROVED by Police Chief Teachman, on behalf of the Greater New Bedford Veterans Council, for MONDAY, MAY 28, 2007, for the purpose of the MEMORIAL DAY CEREMONIES to Honor Veterans of All Wars, starting from Buttonwood Park, at the intersection of Rockdale Avenue and Union Street at 11:30 a.m., proceeding East on Union Street to Pleasant Street; North on Pleasant Street, past reviewing stand in front of Main Library, to Elm Street. (To be Received and Placed on File.)

15b. COMMUNICATION/PARADE PERMIT, Councillor Alves, submitting Parade Permit, on behalf of the Cape Verdean Veterans Association, for MONDAY, MAY 28, 2007, for the purpose of their MEMORIAL DAY CEREMONIES, starting at Cape Verdean Veterans Hall, 561 Purchase Street, to St. John's Cemetery, Allen Street, and return to Cape Verdean Veterans Hall.

16. WRITTEN MOTION, Councillor Gonsalves, requesting, on behalf of the Humane Coalition for Animals, Laura Broeckel, President, that the following street(s) be CLOSED: LT. WALTER P. FULLER MEMORIAL PARKWAY, from Rockdale Avenue West to the Monument, on SUNDAY, MAY 20, 2007, from 9:00 A. M. to 4:00 P. M., for their Annual Pet Fest. NOTE: Motion REVISED to change time from 10:00 a. m. TO 9:00 A. M.

17. WRITTEN MOTION, Councillor Gonsalves, requesting, that the City Council RESCIND THE APPROVAL for a STREET CLOSING for the Massachusetts EMS Games, on Ilion Street, from Lake Street to Lt. Walter B. Fuller Memorial Parkway, and LT. WALTER B. FULLER MEMORIAL PARKWAY, from Brownell Avenue to the west side of the Monument, on SATURDAY, MAY 19, 2007, FROM 7:00 A. M. TO 6:00 P. M.; due to a CHANGE IN THE LOCATION FOR EMS GAMES, TO FORT TABER, THE STREET CLOSING IS NO LONGER NEEDED.

18. WRITTEN MOTION, Councillor Pina, requesting, for the second time, on behalf of Mr. Arthur Boudreau of 40 Parker Street, that the streetlight near his address be repaired.

19. WRITTEN MOTION, Councillor Pina, requesting that the City Council contact area Legislators, to voice our support, that the Gang Bill money be reauthorized, and also be increased, in next year's budget.

20. WRITTEN MOTION, Councillor Morad, requesting that the Committee on Ordinances explore changes in the Zoning Code to alter the 18 foot height limitation in City Code, Sections 9-1200 and 9-2333, as it applies to flagpoles, with the intention of increasing the current height limitation; and further, once the Committee completes a draft of a proposed Ordinance containing the appropriate alterations, that the proposed Ordinance be submitted to the City Council to be processed in compliance with Chapter 40A, Section 5 of the General Laws. (To be Referred to the Committee on Ordinances.)

21. WRITTEN MOTION, Councillor Lawrence, requesting that the Board of Health meet with this Councillor and Barry Sylvia of the DIS-Health Inspectors, relative to the empty lot that abuts 88 Pierce Street. (To be referred to the Health Board, Health Department and Department of Inspectional Services-Health Inspectors.)
22. WRITTEN MOTION, Councillor Gonsalves, requesting that the Ordinance Committee draft an Ordinance to ban the sale of blunt wrappers in the City of New Bedford, pursuant to the request of Captain Joseph Cordeiro, of the New Bedford Police Department. (To be Referred to the Committee on Ordinances.)
23. WRITTEN MOTION, Councillor Koczera, asking that the City's Zoning Ordinance be amended to designate and include a new Mill Overlay District, located within the block bounded by Nash Road, Edison Street, Belleville Road and Brook Street; the intent of this new Overlay District would be to allow mixed uses of the properties in that area to occur, including residential use, by a Special Permit, granted by the Zoning Board of Appeals.
24. WRITTEN MOTION, Councillor Gomes, asking that the City Council go on record in support of requesting Governor Deval Patrick to expedite bringing commuter rail to the City of New Bedford in a four to six year plan versus his proposed ten year plan time frame due to the immediate need for this project to be completed in order for success in the economic development and stimulants to the City of New Bedford; and further, requesting that our State Delegation also support New Bedford in its request to expedite this action due to the long length of time - over twenty years - that this area has been waiting for such a project to be completed, and which was supposed to have been completed in 2005.
25. WRITTEN MOTION, Councillor Gomes, requesting that our Federal Delegation, Senators Kennedy, Kerry and Congressman Frank, step up their efforts to do whatever is possible for Federal funding in order to bring commuter rail from Boston to the Cities of New Bedford and Fall River; and further, that this action be expedited so it falls in line with the request by this City Council for a four to six year plan of completion of commuter rail to both Cities, versus the Governor's ten year time frame.
26. WRITTEN MOTION, Councillor Coelho, on behalf of Temistocles Blessed Ferreira, requesting that the Committee on Appointments and Briefings invite Mr. Ferreira and perhaps representatives from some of our Youth Organizations, such as P.A.C.E., YouthBuild New Bedford, Treatment on Demand's Youth Empowerment Program, 3rd EyE Unlimited, etc., to come before them to discuss lowering the age at certain events/venues that serve alcohol to 18 and over facilities, where youth in the City from age 18 to 21 can be admitted to socialize and enjoy the venue without alcoholic beverages; and further, that the Police Chief or his representative also be invited to discuss the use of wrist bands, hand markings, increased security, etc. as a means by which the no alcohol for minors can be strictly enforced at these establishments/events.
27. WRITTEN MOTION, Councillor Pina, requesting that the Neighborhood Groups, namely, Old Bedford Village, The Latino Coalition and Ben Rose Garden be allotted \$15,000. each from the Weed & Seed Program to fund summer youth programs and individuals to man the offices during the summer months.
28. WRITTEN MOTION, Councillor Gomes, asking that the City Council go on record in support of DEDICATING THE OFFICE OF THE TREASURER IN MEMORY OF THE CITY'S FORMER TREASURER JOSEPH M. "JIGGS" RAMOS, for his long-time dedication not only as the City Treasurer, but as a leader of the Cape Verdean Community, his commitment to his many clients and New Bedford's community-at-large, and his devotion to friends, family as well as to his Country, which he served during World War II.
29. WRITTEN MOTION, Councillor Gomes, asking that the City Council, along with the Mayor, request that Senator Montigny and our State Delegation, do whatever they have to do in order to get mosquito spraying done this summer for prevention of the "Triple E" virus, due to the warm winter that we have had, and the increasing amounts of rain, that could possibly bring the same Triple E scare to this area that was brought to the entire Commonwealth last year; and further, that everything be done by the State to make sure that the spraying be continued this summer, to guarantee the safety of all Citizens of the Commonwealth of Massachusetts and the South Coast area.

30. WRITTEN MOTION, Councillor Gomes, requesting, that the Mayor, and Community Development, if possible, have a \$3,000.00 Community Development Grant awarded to the Cape Verdean Recognition Parade, to help with expanding costs, due to the amount of work that is put in by this Organization, during the 4th of July Weekend, and its contribution to the community-at-large.
31. WRITTEN MOTION, Councillor Gomes, requesting that the City of New Bedford put a Moratorium on giving Comcast any permission to dig or work on City Streets until Comcast starts the negotiating process with the City and surrounding areas to bring back local news to this area; and further, that no permits be issued to Comcast until negotiations begin.
32. WRITTEN MOTION, Councillor Gomes, asking that the City Council request our State Delegation, including Senator Montigny, along with Governor Deval Patrick's Office, address the increasing home insurance costs in this area, due to insurance companies putting a five mile radius on properties to be considered waterfront, and increasing costs of insurance so high that many of our constituents, at this point, cannot handle the increase.
33. WRITTEN MOTION, Councillor Gomes, requesting that the City of New Bedford make arrangements to have East and West Beaches cleaned as soon as possible, since the summer months are nearing and the beaches, at this point, need to be cleaned; further, that the Sheriff's Department be requested to provide additional help, whether it be in painting or the cleanup, of East and West Beaches; and further, if it is possible, that they also clean the beach at the bottom of Clara Street, eastside; on the southside of Davy's Locker, which, during the course of the winter, has built up seashells that need to be removed and cleaned in order for people to use this small area of beach.
34. WRITTEN MOTION, Councillor Gomes, requesting that fast food restaurants and donut shops be put on notice of the new Ordinance that has been implemented by the New Bedford City Council that they have until June 01, 2007, to comply with putting in trash receptacles at the beginning of their driveways, and at the end of their driveways, along with scoop-tunnel depositing slots that have been ordered by Ordinance by the City Council, since anyone not complying after June 01, 2007, will be notified and fined for noncompliance of a City Ordinance.
35. WRITTEN MOTION, Councillor Gomes, requesting that St. Luke's Hospital, along with Officials of the New Bedford Half-Marathon Road Race and Police Chief Teachman, work together to produce a route that emergency vehicles and hospital personnel, along with Doctors, may take to guarantee that they have a route to get to the hospital in case of emergency, due to several complaints made this year of not being able to get to the hospital during emergency situations while the Road Race was happening.
36. WRITTEN MOTION, Councillor Gomes, requesting that the repairs on the potholes on Union and Purchase Streets be expedited, as well as throughout Downtown; further, that the crosswalks in the Downtown area be painted, along with the ones crossing Route 18 that have been painted red and white, to ensure pedestrians a safe crossover to our Waterfront; and further, that the entire crosswalk situation be looked at across the City, along our beaches and any area that would attract a large number of people, such as the Buttonwood, Brooklawn, Riverside and Hazelwood Park areas, and crosswalks be painted as soon as possible to guarantee safety for all residents using such areas.
37. WRITTEN MOTION, Councillor Gomes, asking that the City of New Bedford immediately send a letter to Whole Foods Markets requesting that a meeting be held with the City Council and/or Mayor's Office in order to attract such a market to the City of New Bedford.
38. WRITTEN MOTION, Councillor Gomes, asking that the City of New Bedford send a letter, from the City Council and the Administration, to Google Officials, requesting they meet with the Administration to discuss the possibility of locating one of Google's operating sites here in the City of New Bedford, possibly in the Industrial Park.

39. WRITTEN MOTION, Councillor Lawrence, requesting that the Committee on Public Safety and Neighborhoods meet with the Administration, to discuss their plans for moving Police Headquarters to the current location of the Council on Aging, as it relates to the parking of cruisers. (To be referred to the Committee on Public Safety and Neighborhoods.)
40. WRITTEN MOTION, Councillor Lawrence, requesting that the Departments of Parks and Recreation allow the Whaling City Festival to utilize the Warming House at Buttonwood Park on Saturday, July 14, and Sunday, July 15, 2007, so they may be able to offer the Festival-goers Bingo at no charge; and further, that the required fee for custodial service be either waived or held to a minimum. (To be Referred to the Parks and Recreation Departments.)
41. COMMUNICATION, DPI Commissioner Labelle, to City Council, submitting a request for the Acceptance of the Completion of the Sewer Betterment and Approval of the ORDER of Final Assessment Costs, on MARLBORO STREET, SHEFFIELD STREET and BARTLETT STREET.
- 41a. ORDER,
42. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, submitting BUILDING DEMOLITION REVIEW for 76 QUERY STREET, A GARAGE STRUCTURE, stating that “the structure is NOT located in a National Register Historic District, the structure is of NO notable historic significance, either recorded or found with the existing condition of the structure, and the NBHC has determined that the building is NOT an historically significant building or structure and NOT preferably preserved.” (**Also requesting, on behalf of this new home owner, that Rule 40 be Waived** due to an error by City Departments, causing delay of submittal of Demolition Request and Review – submitted by Councillor Koczera.)
43. COMMUNICATIONS, The Portuguese Ministry of Foreign Trade, Chief of the Cabinet of the Secretary of State of Portuguese Communities, Mr. Simeao Pinto de Mesquita, responding to Councillor Pimental’s letter and the City Council’s letter from City Clerk/Clerk of the City Council Rita D. Arruda, of December 2006, requesting that the Portuguese Government NOT close the Portuguese Consulate in New Bedford, and further response by Council President Pimental acknowledging responses and thanking Portuguese Government for NOT closing the New Bedford Portuguese Consulate. (To be Received and Placed on File.)
44. COMMUNICATION, Councillor DeMedeiros, to Various Officials, Massachusetts Department of Health, in support of a Board of Health vote to ask the State Department of Public Health to conduct a health assessment of residents living near the Keith Middle School. (To be Received and Placed on File.)
45. COMMUNICATION, Police Chief Teachman, responding to Written Motion by Councillor Pina, amended by Councillor Lawrence, in City Council, January 25, 2007, providing City Council with Report(s) of Incidents at 680 Acushnet Avenue – Main Line Tire Company. (Copies to Councillors Pina and Lawrence 03/20/07.)
46. COMMUNICATION, Ms. Reba Beatty, District Director, U.S. Department of Labor – Office of Federal Contract Compliance, to Rita D. Arruda, City Clerk/Clerk of the City Council, responding to letter requesting that the Office of Federal Contract Compliance conduct a Disparity Study of the Corson Building Project. (Copy all Councillors 04/04/07.)
47. COMMUNICATIONS, Joseph A. Camillo, Jr., Esq., 105 Union Wharf West, Boston, MA 02109-1281, representing HARBORONE Credit Union, to City Council (Legislative Counsel,) Inspectional Services, New Bedford Historical Commission and City Solicitor’s Office, re: 209 Kempton Street/211 Kempton Street DEMOLITION(S), informing that HARBORONE is first mortgage holder of record for both properties and that they received no notice regarding Demolition requests (denied by City Council,) requesting prior notice of any and all actions concerning properties, requesting that any further action by City of New Bedford against said properties cease and desist, also formally requesting copies of all documentation regarding same properties; and Assistant City Council Clerk Rita O. Sylvia, responding to Attorney Camillo, providing requested copies of documentation.

48. COMMUNICATION, Mass Division of Energy Resources, to City Council, informing of free one-day event for the public sector – An Energy Services Workshop “Energy Savings Performance Contracting” Thursday, April 26, 2007, 8:00 a.m. to 3:00 p.m., at the Crown Plaza – Worcester, MA. (Copy all Councillors March 28, 2007.)
49. COMMUNICATION/INVITATION, Greater New Bedford Youth Baseball League, Inc., 106 Nauset Street, President Jeff Cardoza, extending invitation to all Councillors to OPENING DAY CELEBRATION, STARTING AT 11:00 A. M. ON SUNDAY, MAY 06, 2007, with Teams Parade from the Carlos Pacheco Elementary School on Mt. Pleasant Street to the Leagues James Field. (Copy all Councillors 04/05/08.)
50. COMMUNICATION, Department of Telecommunications and Energy, submitting a Condensed Financial Return for NSTAR Gas Company, for Year Ending December 31, 2006. (Submitted by City Clerk Arruda.)
51. COMMUNICATION, Department of Telecommunications and Energy, submitting a Condensed Financial Return for Commonwealth Electric Company, for Year Ending December 31, 2006. (Submitted by City Clerk Arruda.)
52. COMMUNICATION/INVITATION, Cape Verdean Recognition Parade Committee, to All Councillors, announcing the 35TH ANNUAL CAPE VERDEAN RECOGNITION PARADE on SATURDAY, JULY 07, 2007, starting at 11:00 A.M. at Buttonwood Park, and ending at the Cape Verdean Veterans Memorial Hall; also informing of several fundraisers and/or raffles/donations to the Parade Fund. (Copy all Councillors 04/06/07.)
53. COMMUNICATIONS, Mayor Lang to Council President Pimental, March 07, 2007, re: Council President Pimental’s letter of February 22, 2007, to Bernard McCourt, District Highway Director, requesting information as to the jurisdiction of Kempton Street, between County and Pleasant Streets, stating the Mayor does NOT want this route closed during Peter Francisco Day Celebrations, and he will request Planning Committee to form alternate plans to avoid closure, RESUBMITTED TO COUNCILLOR PIMENTAL, AND RETURNING UNSIGNED THE WRITTEN MOTION, COUNCIL PRESIDENT PIMENTAL, IN CITY COUNCIL, MARCH 08, 2007, WITH “PERMISSION GRANTED” BY THE CITY COUNCIL, PRESENTED TO MAYOR LANG, MARCH 12, 2007, RETURNED UNSIGNED APRIL 06, 2007. (Copy all Councillors 04/06/07.)
- 53a. COMMUNICATION, Bernard McCourt, District Highway Director, responding to Council President’s letter re: Kempton Street jurisdiction for street closing and stating that subject area is NOT under the jurisdiction of MassHighway; however, a detour plan must be submitted to MassHighway identifying the proposed routes that U.S. Route 6 traffic will be directed to during proposed road closure and submittal of detour plan to Mr. McCourt.
- 53b. COMMUNICATIONS/EMAILS, To and From Deputy Police Chief Hegarty, Assistant Council Clerk Sylvia, re: Kempton and North Streets Closings, stating that, if streets are closed, traffic will be rerouted one block South to Middle Street, to Pleasant Street (North side of the Post Office) then back to the Bridge Eastbound, which may or may not occur, depending on size of crowd and people who remain for Ceremonies; further stating that only 2 businesses affected are Bush Cleaners and Kentucky Fried Chicken and that POLICE WILL ASSIST TRAFFIC.
54. COMMUNICATION, Councillor Alves, to Legislative Counsel Gerwatowski, requesting Legal Interpretation of appropriate procedure by which title for the “City-owned property” can/should be transferred to a proposed developer of the “Fairhaven Mills” project. (To be Received and Placed on File.)
55. COMMUNICATION, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on March 26, 2007, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: W.S. CHESTNUT STREET, Plot 65/Lot 368, Area of 2,014 square feet. (Former Owner: Janice Williams;) Total Amount due on the parcel as of the date of the Decree is \$30,074.97.
56. COMMUNICATION, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on March 28, 2007, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: 157 Reynolds Street, Plot 90/Lot 12, Area of 1,604 square feet. (Former Owner: George Stead, Jr.;) Total Amount due on the parcel as of the date of the Decree is \$10,736.26.

TABLED BUSINESS

02/23/06 WRITTEN MOTION, Councillor Saunders, requesting RECONSIDERATION on the matter of the COMMUNICATION, Mayor Lang, to City Council, submitting for approval the RE-APPOINTMENT of JOSE GOUVEIA, 112 Bryant Lane, New Bedford, MA, to the HARBOR DEVELOPMENT COMMISSION, whose term expired December 2001. This appointment will expire December 2007. (Appointment Confirmed – Yeas 11, Nays 0 at the regular City Council Meeting on February 09, 2006 Agenda.) (Note: This Item, which is Item #L14 on Late File Agenda was confirmed on a Substitute Motion by Councillor Morad, which was allowed, and Appointments Confirmed on Items L8, L10, L11, L12, L14, L16, L31 and L33.)

02/23/06 COMMUNICATION, Mayor Lang, to City Council, submitting for approval the RE-APPOINTMENT of JOSE GOUVEIA, 112 Bryant Lane, New Bedford, MA, to the HARBOR DEVELOPMENT COMMISSION, whose term expired December 2001. This appointment will expire December 2007.

07/20/06 CITATION, Councillor Pina, honoring PAUL PELLETIER, in recognition of his Years of Service to the Residents of Boa Vista Housing Development as President of the Tenant Association for the past Six Years.

08/17/06 CITATION, Councillor Morad, honoring SPECIALIST ALVARO A. SANTOS, United States Army Reserve, 844th Engineering Battalion, a Heavy Construction Equipment Operator, who served in support of Operation Iraqi Freedom in Kuwait from December 18, 2004 to December 12, 2005, and was awarded the Army Achievement Medal, the National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Armed Forces Reserve Medal with “M” Device, Army Service Ribbon and the Overseas Service Ribbon.

08/17/06 CITATION, Councillor Pina, honoring BELMIRO FERNANDES, United States National Guard, in recognition of his serving our County in Operation Iraqi Freedom, from September 06, 2005, until July 06, 2006.

08/17/06 RESOLUTION, Council President Alves, recognizing AUGUST 09, 2006, as COMCAST/TOON DISNEY’S PASSPORT TO READING DAY IN NEW BEDFORD.

08/17/06 RESOLUTION, Council President Alves, honoring POLICE OFFICER PAUL FONSECA for his HEROIC ACTIONS AT THE SAVOY NURSING HOME FIRE – JULY 23, 2006.

01/25/07 WRITTEN MOTION, Councillor Pina, requesting, on behalf of the residents of Hillman Street, that the Traffic Commission issue Residential Parking signs to the neighbors surrounding the Quest Center and New Directions, as the employees, and visitors, are taking up all the parking spaces, and, since there is no residential off-street parking at their homes, the residents are in need of parking places.

02/08/07 HEARING, on APPLICATION of CYNTHIA AND ERIC BELINKOFF, 366 HATHAWAY REALTY TRUST, 366 HATHAWAY ROAD, NEW BEDFORD, MA 02740, requesting AN INCREASE in License to keep, store and/or sell products of CRUDE PETROLEUM or any of its products, at 366 HATHAWAY ROAD, being Plot 94, Lot 20; Application is for 40,000 GALLONS (from 25,520 gallons) of gasoline and diesel fuels underground. (License for 25,520 gallons was previously granted on September 13, 1973, to Texaco, Inc., and registered to 366 Hathaway Realty Trust in August 2006.) (In City Council February 08, 2007 – Tabled until next Council Meeting – February 22, 2007.) (In City Council February 22, 2007 – Motion by Councillor DeMedeiros to keep item on the Table ADOPTED – All Ayes. – TABLED.)

02/08/07 AN ORDER, (In City Council February 08, 2007 – Tabled until next Council Meeting – February 22, 2007.) (In City Council February 22, 2007 – Motion by Councillor DeMedeiros to keep item on the Table ADOPTED – All Ayes. – TABLED.)

03/22/07 RESOLUTION, Councillor Gonsalves, honoring the GREATER NEW BEDFORD REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL CHEERLEADERS.